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REMARKS

Claims 1-19, 29-66, and 68-77 were previously canceled. A duplicate claim 79 was previously canceled and re-written as claim 83. Claims 21-28, 67, 78-80 and 82-83 were previously presented. Claims 20 and 81 are currently amended. Accordingly, claims 20-28, 67, and 78-83 are pending examination.

Claims Objections

The Office Action objects to a duplicate claim 79. In the Amendment mailed on January 2, 2007, the duplicate claim 79 was canceled and re-written as claim 83.

Rejection of Claim 83 Under 35 USC §112

Claim 83 is rejected under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which application regards as the application. The limitation “wherein the mandrel is positioned on the mandrel” is unclear. It has been interpreted as “wherein the mandrel is positioned on the pin.” The Applicant believes this objection is directed to claim 81 and has amended claim 81 accordingly.

Rejection of Claims 20, 22-26, 67, and 78-82 Under 35 USC §102(b)

Claims 20, 22-26, 67, and 78-82 are rejected under 35 USC §102(b) as being anticipated by U.S. Patent No. 3,510,353 (McHenry).

Claim 20 is amended to recite “providing electrical communication between a first electrode strip and a pin. Claim 20 is also amended to recite that a “first electrode strip and (a) second electrode strip (are) wound together after providing electrical communication between the first electrode strip and the pin.” In contrast, McHenry teaches the following at C2, L60-65:

The seal would normally be assembled first and the electrodes placed around the crimped tube 12. The wire 14 would then be bent and attached to tab 18 and the negative connection made.

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As a result, McHenry teaches providing electrical communication between an electrode strip and a pin after winding electrode strips together. Since McHenry does not teach every element of claim 20, McHenry does not anticipate claim 20.

Claims 21-28, 67, and 78-83

Claims 21-28, 67, and 78-83 each depends directly or indirectly from claim 20. Since claim 20 is believed to be in condition for allowance, these claims are also believed to be in condition for allowance.

Double Patenting Rejection

Claims 20-28, 67, 78, 79, and 80-83 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 69-73 and 76-79 of copending application 10/666,440.

Because the claims of co-pending Application No. 10/666,440 have not been patented, the Applicant respectfully requests that this application be allowed to issue without the filing of a terminal disclaimer relative to the 10/666,440 application. For instance, the Applicant respectfully requests that this application be treated as the earlier filed application under the first paragraph of MPEP §804(I)(B)(1).

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CONCLUSION

The Examiner is encouraged to telephone or e-mail the undersigned with any questions.



Travis Dodd
Reg. No. 42,491
Agent for Applicant(s)

Quallion LLC
P.O. Box 923127
Sylmar, CA 91392-3127
818-833-2003 ph
818-833-2065 fax
travisd@quallion.com